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THE UNITED STATES DISTRICT COURT  
DISTRICT OF UTAH

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HILARIO MEDINA-JUAREZ,  
Petitioner,

v.

ROBERT POWELL et al.  
Respondents.

**MEMORANDUM DECISION  
& DISMISSAL ORDER**

Case No. 2:23-cv-00448-DBB

District Judge David Barlow

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On July 13, 2023, the Court ordered Petitioner to within thirty days file a compliant motion for leave to proceed *in forma pauperis* and inmate-account statement, or face dismissal. (ECF No. 2.) When Petitioner did not respond, the Court ordered Petitioner to within thirty days show cause why this action should not be dismissed for failure to follow orders. (ECF No. 5.) Petitioner still has not been heard from in more than three months, since Petitioner first filed this case. (ECF No. 1, 4.)

IT IS THUS ORDERED that:

(1) Petitioner's action is DISMISSED without prejudice for failure to comply with the Court's order and for failure to prosecute. *See* DUCivR 41-2.

(2) Petitioner's motion for appointed counsel is DENIED as moot. (ECF No. 3.)

DATED this 19th day of October, 2023.

BY THE COURT:



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DAVID BARLOW  
United States District Judge